

## Message Text

PAGE 01 USUN N 01233 01 OF 02 060549 Z

20

ACTION IO-13

INFO OCT-01 AF-10 ARA-11 EA-11 EUR-25 NEA-10 RSC-01 COA-02

EB-11 OIC-04 ADP-00 CIAE-00 DODE-00 PM-09 H-02 INR-10

L-03 NSAE-00 NSC-10 PA-03 PRS-01 SS-15 USIA-12 ACDA-19

AEC-11 AGR-20 CG-00 COME-00 DOTE-00 FMC-04 INT-08

JUSE-00 NSF-04 OMB-01 RSR-01 SCI-06 CEQ-02 /240 W

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R 060432 Z APR 73

FM USMISSION USUN NY

TO SECSTATE WASHDC 7364

INFO AMEMBASSY BELGRADE

AMEMBASSY DUBLIN

AMEMBASSY JAKARTA

AMEMBASSY KINSHASHA

AMEMBASSY MADRID

AMEMBASSY RABAT

AMEMBASSY TOKYO

AMEMBASSY WARSAW

UNCLAS SECTION 1 OF 2 USUN 1233

E. O. 11652: N/A

TAGS: PBOR

SUBJ: LOS: SUBCOMMITTEE II, APRIL 4

1. SUMMARY. US REP GAVE STATEMENT ON REVISED US DRAFT FISHERIES ARTICLE AND DISTRIBUTED WORKING PAPER ON MANAGEMENT OF ANADROMOUS AND MIGRATORY FISHES ( STATEMENT AND PAPER BEING POUCHED). THERE WAS EXTENSIVE DISCUSSION OF INNOCENT PASSAGE AND STRAITS ISSUE AND FISHERIES. END OF SUMMARY.

2. YUGOSLAV REP STATED NEW NORMS IN INTERNATIONAL LAW ARE NEEDED AND EACH STATE HAS RIGHT TO SET OWN LIMITS TO TERRITORIAL SEA ON BASIS OF LOCAL CONDITIONS. HE STATED THAT STRAITS STATES PROPOSAL ON INNOCENT PASSAGE IN UNCLASSIFIED

PAGE 02 USUN N 01233 01 OF 02 060549 Z

TERRITORIAL SEA AND STRAITS IN IMPORTANT CONTRIBUTION TO NEGOTIATIONS AND COULD BE BASIS FOR SETTLEMENT.

SIMILARLY, ARCHIPELAGO PROPOSALS ARE ALSO USEFUL. HE EXPRESSED SUPPORT FOR KENYAN ECONOMIC ZONE PROPOSALS. FISHERIES ISSUE, HE SAID, SHOULD BE DEALT WITH IN TERMS OF ECONOMIC ZONE. HE PROPOSED THAT SUBCOMMITTEE II AT SUMMER SESSION ESTABLISH AD HOC DRAFTING GROUPS ON SPECIFIC SUBJECTS.

4. IRISH REP STATED IRELAND SUPPORTS NARROW TERRITORIAL SEA. HE EXPLAINED THAT IRELAND IS CONCERNED WITH ANADROMOUS SPECIES AND INDICATED THAT CONTROL AND EXPLOITATION OF THIS SPECIES SHOULD BE FOR COASTAL STATE ALONE AS ONLY WAY TO GUARANTEE SPECIES SURVIVAL. IRISH REP EXPRESSED DOUBTS ABOUT PRACTICABILITY OF PROPOSALS THAT COASTAL STATE MAY RESERVE THAT PORTION OF ALLOWABLE ANNUAL CATCH OF COASTAL SPECIES IT CAN HARVEST WHILE OTHER NATIONS CAN HARVEST REST. HE URGED THAT THERE BE AN EXCLUSIVE FISHERY ZONE BEYOND THE TERRITORIAL SEA IN WHICH COASTAL STATE WOULD HAVE COMPLETE JURISDICTION OVER FISHING. SUCH A ZONE MIGHT EXTEND TO UPPER EDGE OF CONTINENTAL SHELF ( APPROXIMATELY 200 METER ISOBATH). HE STATED THAT IT IS NOT REALISTIC TO EXPECT COASTAL STATES TO GIVE UP RIGHTS THEY HAVE UNDER CONTINENTAL SHELF CONVENTION AND SAID IRELAND WOULD ACCEPT DISTANCE MEASURE OF 200 MILES OR ALTERNATIVELY AN ISOBATH LIMIT OF 300 0 METERS. WITHIN EXCLUSIVE FISHERY ZONE AND OVER CONTINENTAL SHELF THERE WOULD BE NO INTERFERENCE BY COASTAL STATE WITH FREEDOM OF NAVIGATION.

5. SPAIN MADE STRONG INTERVENTION ON INNOCENT PASSAGE AND STRAITS ISSUE, ARGUING IT IS NOT PERMISSIBLE TO DISTINGUISH BETWEEN INNOCENT PASSAGE QUESTION AND STRAITS REGIME AND URGING ISSUES SHOULD BE CONSIDERED JOINTLY. HE SAID IT WAS REGRETTABLE THAT ONE DELEGATION ( UNNAMED) HAD INVOKED " VITAL INTEREST" IN DEBATE ON STRAITS AND HE STRESSED SPAIN NOT PREPARED TO SACRIFICE ITS INALIENABLE RIGHTS. HE ASSERTED SPAIN WISHES TO SAFEGUARD INTEREST OF PEACEFUL NAVIGATION BUT IT IS NOT RIGHT TO DEMAND THAT STRAIT STATES SACRIFICE THEIR SOVEREIGNTY IN INTEREST OF MILITARY OR STRATEGIC INTEREST OF A FEW STATES.

UNCLASSIFIED

PAGE 03 USUN N 01233 01 O

UNCLASSIFIED

PAGE 01 USUN N 01233 02 OF 02 060559 Z

11

ACTION IO-13

INFO OCT-01 CIAE-00 DODE-00 NSAE-00 NSCE-00 SSO-00 USIE-00

ADP-00 COA-02 EB-11 OIC-04 PM-09 H-02 INR-10 L-03

NSC-10 PA-03 RSC-01 PRS-01 SS-15 USIA-12 ACDA-19

AEC-11 AGR-20 CG-00 COME-00 DOTE-00 FMC-04 INT-08

JUSE-00 NSF-04 OMB-01 SCI-06 CEQ-02 RSR-01 /173 W

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R 060432 Z APR 73 ZDK  
FM USMISSION USUN NY  
TO SECSTATE WASHDC 7365  
INFO AMEMBASSY BELGRADE  
AMEMBASSY DUBLIN  
ANEMBASSY JAKARTA 362  
AMEMBASSY KINS ASHA  
AMEMBASSY MADRID  
AMEMBASSY RABAT  
AMEMBASSY TOKYO  
AMEMBASSY WARSAW

UNCLAS SECTION 2 OF 2 USUN 01233

GUARDING FREE NAVIGATION AND KEEPING IT A MEANINGFUL RIGHT AND WILL APPROACH QUESTION OF STRAITS IN THIS LIGHT. STRESSING GREAT IMPORTANCE OF FISHERIES TO JAPAN, HE STATED EXCLUSIVE ZONE PROPOSALS CREATE DIFFICULTIES AS THEY DO NOT TAKE INTO ACCOUNT LEGITIMATE INTERESTS OF OTHER THAN COASTAL STATES. LICENSING ARRANGEMENTS ARE INSUFFICIENT TO PROTECT THESE INTERESTS. EXCLUSIVE ZONES WOULD CREATE INEQUITABLE RIGHTS AND WOULD MILITATE AGAINST SOUND CONSERVATION AND MANAGEMENT. RESPONDING TO U. S. STATEMENT ON SALMON, JAPAN REP SAID SALMON IS THE ONLY ANADROMOUS SPECIES OF CONCERN AND AS ISSUE IS VERY LIMITED HE EXPRESSED GRAVE DOUBT ABOUT INCLUDING SALMON MANAGEMENT PROPOSALS IN LOS TREATY.

UNCLASSIFIED

PAGE 02 USUN N 01233 02 OF 02 060559 Z

9. ZAIRE DESCRIBED IN DETAIL ITS GEOGRAPHIC DISADVANTAGES, POINTING OUT IT COULD NOT NEGOTIATE REGIONAL AGREEMENTS BECAUSE ITS NEIGHBOR ( ANGOLA ) IS A HOSTILE POWER. HE TOOK ISSUE WITH UNILATERAL EXTENSIONS OF COASTAL STATES JURISDICTION ARGUING THEY HAVE NO LEGAL BASIS AND HE URGED PROGMATIC COMPROMISE OF INTERESTS.

10. MOROCCO DESCRIBED DIFFICULTIES WITH FOREIGN DISTANT WATER FISHING OFF ITS COAST AND ENDORSED THE STRAITS STATE PROPOSALS ASSERTING THAT IT TAKES INTO CONSIDERATION RIGHTS OF COASTAL STATES AND USER STATES ALIKE.  
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**TAGS:** PBOR  
**To:** STATE INFO BELGRADE  
DUBLIN  
JAKARTA  
KINSHASHA  
MADRID  
RABAT  
TOKYO

WARSAW

**Type:** TE

**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005